Appendix A.

Opinion of Trial Court.

At the suggestion of the Court, when the case appeared on the calendar on Friday last the parties agreed that the issue with respect to a claimed forgery of certain documents which constitute defense by the defendants to this action, be tried first. Upon the taking of testimony this morning the attorney for the plaintiff urged also that the Court consider the question with respect to whether or not duress or intimidation had been practiced. The Court permitted testimony offered by the plaintiff in that connection.

The careful consideration of all of the evidence in the case, oral as well as documentary, leads to the unescapable conclusion that none of these documents were forged and each and every one of them bears the genuine signature of the plaintiff in this case, compares with the conceded writings in the handwriting of the plaintiff in this case, with the writings which she made in the presence of the Court, and taking into consideration the testimony of her then attorney, Mr. Levy, that these names were all signed in his presence, the Court is unable to find that any forgery was committed by anyone of the signatures of the plaintiff. On the contrary, the evidence is quite clear that there was no forgery at all, and that this claim has been made out of whole cloth in an attempt to defeat the interest of justice.

Insofar as the claim is made that there was intimidation or duress practiced upon the plaintiff in this

action, there is no evidence which would sustain that claim. On the contrary what took place after the parties left the Court room at Bellevue Hospital was completely in line with what the record before the Court, taken at Bellevue Hospital, before Mr. Justice Levy, demonstrates actually transpired.

The defenses to this action of a release and a discontinuance of the action are sustained. Accordingly, judgment is directed in favor of the defendant dismissing the complaint on the merits. Exception to the plaintiff.

Appendix B.

ORDER OF COURT OF APPEALS DENYING LEAVE TO APPEAL.

STATE OF NEW YORK,

IN COURT OF APPEALS.

At a Court of Appeals for the State of New York, held at Court of Appeals Hall in the City of Albany, on the eighteenth day of October A. D. 1951.

Present—HON. JOHN T. LOUGHRAN,
Chief Judge Presiding.

CORINNE C. WATERMAN,

Appellant,

vs.

SAUL SCHATTEN and others &c.,

Respondents.

A motion for leave to appeal to the Court of Appeals and to prosecute appeal as a poor person in the above cause having been heretofore made upon the part of the appellant herein, and papers having been duly submitted thereon and due deliberation thereupon had, it is

ORDERED, that the said motion be and the same hereby is denied.

A copy

GEARON KIMBALL
Deputy Clerk.

Appendix C.

APPELLATE DIVISION ORDER DENYING REARGUMENT AND LEAVE TO APPEAL TO COURT OF APPEALS.

At a term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York, on the 26th day of June, 1951.

Present—HON. DAVID W. PECK, *Presiding Justice*,
" EDWARD S. DORE,
" ALBERT COHN,
" JOHN VAN VOORHIS,
" FRANCIS D. MCCURN,
Justices.

6A

CORINNE C. WATERMAN,

Pltf.-Applt.,

vs.

SAUL SCHATTEN, ESTATE OF LOUIS SCHATTEN, his Executors, Administrators and assigns, and SCHATTEN EQUITIES, INC.,

Defts.-Respts.

The above-named plaintiff-appellant having moved for leave to reargue, and to do so orally, the appeals taken by her from a judgment of the Supreme Court, Bronx County, entered on the 28th day of November, 1949; from an order made by said court and entered

on the 16th day of June, 1949, denying her motion for an order adjudging Saul Schatten, Henry Kaufman, the attorney for the defendants, and Leo P. Marx, a City Marshal, in contempt of court and from the order made by said court and entered on the 28th day of September, 1949, granting reargument of the motion decided by the order entered June 16, 1949 and, on reargument, adhering to the original determination; from an order made by said court and entered on the 3rd day of June, 1949, denying her notice for "a Mandamus Order" directing defendants and their attorneys to surrender certain releases, agreements and stipulations signed by her on March 11, 1949, and directing the Superintendent of and a doctor of Bellevue Hospital, New York City, forthwith to correct the record and minutes of proceedings herein at such hospital on March 11, 1949, and for other relief, and from the order made by said court and entered on the 15th day of September, 1949, granting reargument of the motion decided by the order entered June 3, 1949 and, on reargument, adhering to the original determination; and from an order made by said court and entered on the 7th day of February, 1950, denying plaintiff's motion for an order "nullifying and voiding" the judgment of said court entered on the 28th day of November, 1949; and from an order made by said court and entered on the 7th day of March, 1950, granting reargument of the motion theretofore made by plaintiff for relief by mandamus and injunction, and for an order permitting plaintiff to have a photostatic copy made of the minutes of proceedings herein, held at Bellevue Hospital, New York City, on March 11, 1949 and, upon reargument, ad-

hering to the original determination denying the relief sought by plaintiff, or, in the alternative, for leave to appeal to the Court of Appeals,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the affidavit of Corinne C. Waterman in support of said motion, and after hearing Miss Corinne C. Waterman, appellant in person, for the motion, and Mr. Leo E. Berson opposed,

It is ordered that the said motion be and the same hereby is, in all respects, denied.

Enter:

GEORGE T. CAMPBELL
Clerk.

Appendix D.

ORDER OF AFFIRMANCE OF APPELLATE DIVISION.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York, on the 22 day of May, 1951.

Present—HON. DAVID W. PECK, *Presiding Justice,*
" EDWARD S. DORE,
" ALBERT COHN,
" BERNARD L. SHIENTAG,
" FRANCIS D. MCCURN,
Justices.

4455

CORINNE C. WATERMAN,

Plaintiff-Appellant,

—against—

SAUL SCHATTEN, ESTATE OF LOUIS SCHATTEN, his Executors, Administrators and assigns, and SCHATTEN EQUITIES, INC.,

Defendants-Respondents.

ORDER OF AFFIRMANCE ON APPEAL FROM JUDGMENT

An appeal having been taken to this Court by the plaintiff-Appellant from a judgment of the Supreme Court, Bronx County entered on the 28 day of No-

vember 1949 and said appeal having been argued by Miss Corinne C. Waterman, Appellant in person and by Mr. William J. Tropp of Counsel for the respondents; and due deliberation having been had thereon,

It is unanimously ordered and adjudged that the judgment so appealed from be and the same is hereby, in all things, affirmed.

Enter:

GEORGE T. CAMPBELL
Clerk

Appendix E.

APPELLATE DIVISION ORDER DENYING MOTION TO VACATE JUDGMENT OF TRIAL COURT.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York, on the 22nd day of March 1951.

Present—HON. DAVID W. PECK, *Presiding Justice,*
" EDWARD S. DORE,
" ALBERT COHN,
" JOHN VAN VOORHIS,
" FRANCIS D. MCCURN,
Justices.

4458

CORINNE C. WATERMAN,
Appellant,
—against—
SAUL SCHATTEN, *et al.,*
Respondents.

ORDER OF AFFIRMANCE ON APPEAL FROM JUDGMENT

An appeal having been taken to this Court by the Plaintiff-Appellant from an order of the Supreme Court, Bronx County entered on or about the 7 day of Feb., 1950, denying plaintiff's motion for an order

nullifying and voiding the judgment of said court entered on the 28 day of Nov. 1949 in favor of the defendant dismissing the complaint herein, and said appeal having been argued by Miss Corrinne C. Waterman, appellant in person, and by Mr. William J. Tropp, of counsel for the respondents and due deliberation having been had thereon,

It is unanimously ordered that the order so appealed from be and the same is hereby affirmed.

Enter:

GEORGE T. CAMPBELL

Exd